

SPECIAL MILLENNIUM EDITION

The
Constitutions
of the
State of Alaska
and the United States



Lt. Governor Fran Ulmer • January 2001

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The Seal of the State of Alaska is a circular emblem. It features a central landscape with a mountain range, a body of water, and a small boat. The words "THE SEAL OF THE STATE" are written in a circle around the top, and "ALASKA" is written at the bottom.

Dear Reader,

I am proud to present you with the millennium publication of the Alaska Constitution. This special edition was created to celebrate 45 years of statehood. The booklet contains several features not included in previous editions. Judge Tom Stewart wrote a short history about the making of Alaska's Constitution. Judge Stewart was the secretary to the Alaska Constitutional Convention held at the University of Alaska Fairbanks in 1955.

This edition includes a copy of the U.S. Constitution and a summary of its amendments. It is appropriate to include these documents to help us better understand the balance of powers between the state and federal governments.

The vision and hard work of the men and women of Alaska's Constitutional Convention produced what is considered to be a model state constitution. Although it has been amended many times, the document has served this young state well as a firm foundation and guide through changing times.

The Alaska State Constitution is a simple and eloquent document. It offers the modern reader an opportunity to gain a better understanding and deeper appreciation of Alaska's history, the spirit of her people, and the dreams of tomorrow.

Sincerely,

A handwritten signature in black ink that reads "Fran Ulmer". The signature is written in a cursive, flowing style.

Fran Ulmer
Lieutenant Governor

ADOPTED BY THE CONSTITUTIONAL CONVENTION
FEBRUARY 5, 1956

RATIFIED BY THE PEOPLE OF ALASKA
APRIL 24, 1956

BECAME OPERATIVE WITH THE FORMAL
PROCLAMATION OF STATEHOOD
JANUARY 3, 1959

AMENDED AT VARIOUS TIMES SINCE
PROCLAMATION OF STATEHOOD

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1989, 1990
1995, 1996, 1999, 2001

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A Brief History of the Constitution of the State of Alaska

by the Honorable Tom Stewart

Alaska's state constitution provides for the basic organization of the state government, defines and limits the powers of the state, and guarantees certain fundamental rights to its citizens. Its stability derives appreciably from careful limits fixed for amendment procedures, ultimately determined only by a majority of the voters considering any proposal for change.

To understand not only the history of the state constitution but also the background for decisions the constitutional convention delegates made in its drafting, it is important to know some of the significant influences that had shaped the Territory of Alaska before statehood.

In his definitive study of the pre-statehood history of Alaska, former Territorial Governor Ernest Gruening characterized several distinct eras in the administration of Alaska by the federal government. For seventeen years after its purchase from Russia in 1867, there was an "era of total neglect"

when there was no government. In 1884, the First Organic Act by the Congress created the District of Alaska, with an appointed governor, a temporary seat of government at Sitka, and a few other appointed officials, mainly related to judicial functions. This was an "era of flagrant neglect" lasting until the major gold discovery in the neighboring Klondike region. The ensuing gold rush of 1898 brought an "era of mild but unenlightened interest," until the Second Organic Act of 1912 created the Territory of Alaska.

That act was, in effect, a kind of constitution for the newly created government of the territory. However, its restrictions and limitations on the powers of the territorial legislature and the officials of the Alaska government deprived Alaskans of genuinely meaningful self-government. The governor and secretary of Alaska were appointed by the president. The single delegate to Congress, while elected by the people and en-

titled to a seat in the House of Representatives, had no vote in that body. Control and regulation of commercial fisheries remained with the federal government, and to a large extent, regulation of mining and other resource development. The Territory had no bonding authority, along with other restrictions on revenue raising. The entire judicial system was federally operated. Alaska lacked participation in standard federal aid programs, such as the highway program, but its citizens paid all federal taxes without voting representation in the Congress. Alaskans were ineligible to vote for the president. These and other restrictions remained in place until statehood was ultimately achieved.

The government of Alaska as created by enactments of its legislature was a hodgepodge of elected and appointed officials and departments led by committees or boards. This ineffectual structure lacked adequate central direction or leadership and led to a concern by the convention delegates to avoid these problems.

The first Alaska statehood bill was introduced in Congress by Delegate James Wickersham in 1916. The bill received no serious consideration, and the next was introduced by Delegate Anthony Dimond in 1943. Momentum was building in the territory to escape the bonds preventing true self-government, and the first referendum on statehood was put before the electorate in 1946. The vote was approximately two-to-one in favor of statehood. In 1949 the Territorial Legislature enacted Chapter 108 of its session laws, establishing an Alaska Statehood Committee. Its provisions included directions for studies to prepare for a constitutional convention. Finally, Chapter 46 of the session laws of 1955 made the call

for a convention.

In preparation for the latter legislation, an individual who had been elected to the House was designated to lead preparations and planning for a convention. Studies were made at major academic centers of the nation to determine what steps were necessary. The committee engaged a leading governmental research agency, Public Administration Service (PAS) of Chicago, in June of 1955 to prepare papers for use by the delegates in considering all elements of a proposed constitution, providing comparative examples from the experience of other states.

Critical to the ultimate success of the convention, were the plans specified in the Act by which it was called. Theretofore, the convention would have functioned by specifications fixed in the federal legislation for statehood, Senate Bill 50 pending in the 83rd Congress. That measure, prepared by congressional staff members in Washington, was deficient in important respects. The election of delegates would have been patterned on the Territorial House of Representatives, which effectively prevented representation from smaller communities. Insufficient time was allowed between calling the convention and its convening to accomplish preconvention studies for use by the delegates. Likewise, insufficient time was fixed for the actual writing of the constitution, and no time for an interim recess or public hearings on the work in progress. There would have been insufficient funds for necessary staff work to support the convention, including hiring of qualified consultants and other supporting personnel. The convention would have assembled in the capital at Juneau, losing the advantages of the University of Alaska site.

The act calling the convention was con-

ceived and drafted by Alaska's own legislative representatives and reflected their deeper understanding of what was necessary for a successful convention. Their work went a long way to instill the confidence of the Alaskan public in the constitution ultimately proposed. It provided striking contrast between the ideas of staff workers in the Congress, and those of the Alaskans in their own legislature, respecting what was necessary for a successful outcome. Identification of some of those aspects is essential to understanding the history of the constitution.

There were fifty-five delegates authorized for the convention, the same number as the United States Convention in 1787. This was double the membership of the House, with an additional seven for election-at-large throughout the territory. The elections were non-partisan, with no identification of any party affiliations.

The elections produced not only a broad range in the communities represented, but also in the backgrounds of the delegates chosen. While thirty-one of them came from the major cities of Anchorage, Fairbanks and Juneau, the remaining twenty-four were from nineteen communities from Kotzebue and Nome to Ketchikan and Klawock. Their occupations included lawyers, businessmen, miners, commercial fishermen, professionals, a homesteader, and housewives. One delegate was a Tlingit Indian who served as a vice-president of the convention.

Perhaps of greatest importance was the establishment of special election districts to assure that smaller communities would have representation. This effort preceded the decision by the United States Supreme Court to require proportional representation in state legislative bodies. But it produced by far the most representative group of popu-

larly elected officials in Alaska, aided good public feelings about the work of the convention as it progressed, and substantially contributed to the ultimate acceptance of the constitution by the voters.

Another significant determination was to hold the convention on the campus of the University of Alaska adjacent to Fairbanks, rather than in the capitol at Juneau. Such a choice had contributed to the success of the 1948 New Jersey Constitutional Convention held at their state university at Rutgers. It provided desirable isolation and an academic atmosphere appropriate to writing a state constitution. It proved to be an excellent setting for this serious work.

Timing was another important part of the planning. A limit of seventy-five days was set, plus a fifteen-day recess to allow for public hearings and for the delegates to return to their homes during the Christmas holidays. Enough time was allowed after passage of the act for preconvention studies, election of delegates, and other arrangements before the start of the convention on November 8, 1955. The adjournment on February 6, 1956, gave time for a ratification vote in April of that year.

Funding for the convention had to be carefully budgeted in the act as passed. It included expenses for the election of delegates, payment of a small delegate salary and per diem for travel expenses, consulting services, convention secretariat, staff, and other costs. Also included were costs for printing and distribution of copies of the constitution and for an explanatory summary used in the campaign for ratification.

There was a broad grant of authority in this enabling act to assure the convention could take all measures necessary or proper for admission of Alaska as a state. Aside

from the limitations of time and budget, the delegates were free of any legislative restriction on how to proceed and what the constitution should contain.

Preparatory research efforts were conducted by PAS and its staff during the summer and fall of 1955. These consultants traveled throughout the Territory to enable relating their studies to the interests and needs of Alaskans. A series of papers were produced analyzing the functions of state constitutions in the American political system and covering major elements of state constitutions. These were first individually mailed to the delegates prior to the convention and then consolidated in a three-volume set provided to the members of each committee as it began its deliberations.

The convention began its deliberations smoothly with the help of a proposed set of rules of organization and procedures prepared by the director of the PAS staff. Initially a temporary organization was set to establish permanent rules and a committee structure, all of which were in place within approximately the first week. Drawing on the experience of Hawaii and other conventions, committees were limited in number and aligned with the outline of fundamental subjects appropriate to a state constitution. This had the salutary effect of avoiding inclusion of detailed matters best left to statutory treatment by subsequent state legislatures. There were eleven substantive committees designated and three for rules, administration, and style and drafting. The latter was an especially significant group in preparing the final wording of the articles to ensure consistency and clarity of the language adopted. In addition, the president of the convention and the committee chairmen served as a steering committee to keep

the work of all committees coordinated and on schedule for completion of the integrated document by the fixed deadline.

A cadre of approximately ten consultants was used by the convention, most of whom were nationally recognized authorities in their field of expertise. These consultants enabled the delegates to learn at first hand about the problems that faced states with older constitutions, and some also assisted in convention management and in research for areas of special concern. In general, they avoided suggesting any particular position on issues but provided helpful background information on how provisions had worked in other constitutions, or in describing alternative ways in which problems could be met in Alaska.

It is not the purpose of this brief history of the writing of Alaska's constitution to examine the substance of the document that was produced. The constitution speaks eloquently of its own merits, in its brevity, simplicity, clarity, and adequacy to accomplish its purposes. It was resoundingly ratified by Alaska's voters at the election on April 24, 1956. The document was acclaimed by leading students of state governments as one of the very best of all the states.

The quality of the proceedings and resulting constitution were noted and editorialized upon by prominent newspapers and other publications such as the *New York Times* and *Life Magazine*. These brought notable public pressures on the Congress, and the fact that Alaska had a "model" constitution was frequently cited in arguments and in the record as evidence of Alaska's readiness for statehood. That cause steadily advanced in the next two years and culminated in final congressional approval of statehood on July 2, 1958.

The constitution became effective as the fundamental law of the State of Alaska with the declaration of statehood on January 3, 1959. It has served the people of the state with distinction for the ensuing more than forty years since that time.

Finally, mention needs to be made of the processes that have allowed the constitution to keep pace with the sometimes dramatic, changing circumstances of the state. The provisions for amending the constitution have been exercised many times. Up through 1998, twenty-seven amendments have been adopted, indicating the flexibility and adaptability of the document as the fundamental law of the state. The application of its provisions to continuing issues have been determined in perhaps hundreds of decisions

of the Alaska Supreme Court, giving precise meaning to the basic, fundamental laws of Alaska.

Thomas B. Stewart, a retired Alaska Superior Court judge (First Judicial District, 1966-81), served as Secretary to the Alaska Constitutional Convention from November 1955 to February 1956. He holds a BA from the University of Washington, an MA from Johns Hopkins University and a law degree from Yale University. Stewart's distinguished career includes chief clerk to a special session of the Alaska Territorial House of Representatives (1946), executive officer of the Alaska Statehood Committee (1955), chairman of the Alaska Territorial Legislature Joint Statehood and Federal Relations Committee (1955), one term in the Alaska State Senate from 1959-60, administrative director of the Alaska Court System (1961-66), and court rules attorney (1981-83).

Preamble

WE THE PEOPLE OF ALASKA, grateful to God
and to those who founded our nation and
pioneered this great land, in order to secure and
transmit to succeeding generations our heritage
of political, civil, and religious liberty within the
Union of States, do ordain and establish this
constitution for the State of Alaska.

The Constitution of the State of Alaska

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Declaration of Rights

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5. Freedom of Speech.
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7. Due Process.
8. Grand Jury.
9. Jeopardy and Self-Incrimination.
10. Treason.
11. Rights of Accused.
12. Criminal Administration.
13. Habeas Corpus.
14. Searches and Seizures.
15. Prohibited State Action.
16. Civil Suits; Trial by Jury.
17. Imprisonment for Debt.
18. Eminent Domain.
19. Right to Keep and Bear Arms.
20. Quartering Soldiers.
21. Construction.
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ARTICLE I

Declaration of Rights

Sec.

1. Inherent Rights.
2. Source of Government.
3. Civil Rights.
4. Freedom of Religion.
5. Freedom of Speech.
6. Assembly; Petition.
7. Due Process.
8. Grand Jury.
9. Jeopardy and Self-Incrimination.
10. Treason.
11. Rights of Accused.
12. Criminal Administration.
13. Habeas Corpus.
14. Searches and Seizures.
15. Prohibited State Action.
16. Civil Suits; Trial by Jury.
17. Imprisonment for Debt.
18. Eminent Domain.
19. Right to Keep and Bear Arms.
20. Quartering Soldiers.
21. Construction.
22. Right of Privacy.
23. Resident Preference.
24. Rights of Crime Victims.
25. Marriage.

§ 1. Inherent Rights. This constitution is dedicated to the principles that all persons have a natural right to life, liberty, the pursuit of happiness, and the enjoyment of the rewards of their own industry; that all persons are equal and entitled to equal rights, opportunities, and protection under the law; and that all persons have corresponding obligations to the people and to the State.

§ 2. Source of Government. All political power is inherent in the people. All gov-

ernment originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole.

§ 3. Civil Rights. No person is to be denied the enjoyment of any civil or political right because of race, color, creed, sex, or national origin. The legislature shall implement this section. [Amendment approved August 22, 1972 – Effective October 14, 1972]

§ 4. Freedom of Religion. No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof.

§ 5. Freedom of Speech. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

§ 6. Assembly; Petition. The right of the people peaceably to assemble, and to petition the government shall never be abridged.

§ 7. Due Process. No person shall be deprived of life, liberty, or property, without due process of law. The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.

§ 8. Grand Jury. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces in time of war or public danger. Indictment may be waived by the accused. In that case the prosecution shall be by information. The grand jury shall consist of at least twelve citizens, a majority

ARTICLE I

of whom concurring may return an indictment. The power of grand juries to investigate and make recommendations concerning the public welfare or safety shall never be suspended.

§ 9. Jeopardy and Self-Incrimination. No person shall be put in jeopardy twice for the same offense. No person shall be compelled in any criminal proceeding to be a witness against himself.

§ 10. Treason. Treason against the State consists only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

§ 11. Rights of Accused. In all criminal prosecutions, the accused shall have the right to a speedy and public trial, by an impartial jury of twelve, except that the legislature may provide for a jury of not more than twelve nor less than six in courts not of record. The accused is entitled to be informed of the nature and cause of the accusation; to be released on bail, except for capital offenses when the proof is evident or the presumption great; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

§ 12. Criminal Administration. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Criminal administration shall be based upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of

crimes, restitution from the offender, and the principle of reformation. [Amendment approved November 8, 1994 – Effective December 30, 1994]

§ 13. Habeas Corpus. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or actual or imminent invasion, the public safety requires it.

§ 14. Searches and Seizures. The right of the people to be secure in their persons, houses and other property, papers, and effects, against unreasonable searches and seizures, shall not be violated. No warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

§ 15. Prohibited State Action. No bill of attainder or ex post facto law shall be passed. No law impairing the obligation of contracts, and no law making any irrevocable grant of special privileges or immunities shall be passed. No conviction shall work corruption of blood or forfeiture of estate.

§ 16. Civil Suits; Trial by Jury. In civil cases where the amount in controversy exceeds two hundred fifty dollars, the right of trial by a jury of twelve is preserved to the same extent as it existed at common law. The legislature may make provision for a verdict by not less than three-fourths of the jury and, in courts not of record, may provide for a jury of not less than six or more than twelve.

§ 17. Imprisonment for Debt. There shall be no imprisonment for debt. This section does not prohibit civil arrest of absconding debtors.

§ 18. Eminent Domain. Private property shall not be taken or damaged for public use without just compensation.

§ 19. Right to Keep and Bear Arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed. The individual right to keep and bear arms shall not be denied or infringed by the State or a political subdivision of the State. [Amendment approved November 8, 1994 – Effective December 30, 1994]

§ 20. Quartering Soldiers. No member of the armed forces shall in time of peace be quartered in any house without the consent of the owner or occupant, or in time of war except as prescribed by law. The military shall be in strict subordination to the civil power.

§ 21. Construction. The enumeration of rights in this constitution shall not impair or deny others retained by the people.

§ 22. Right of Privacy. The right of the people to privacy is recognized and shall not be infringed. The legislature shall implement this section. [Amendment approved August 22, 1972 – Effective October 14, 1972]

§ 23. Resident Preference. This constitution does not prohibit the State from granting preferences, on the basis of Alaska residence, to residents of the State over non-residents to the extent permitted by the Constitution of the United States. [Amendment approved November 8, 1988 – Effective January 4, 1989]

§ 24. Rights of Crime Victims. Crime victims, as defined by law, shall have the following rights as provided by law: the right to be reasonably protected from the accused through the imposition of appropriate bail or conditions of release by the court; the right to confer with the prosecution; the right to be treated with dignity, respect, and fairness during all phases of the criminal and juvenile justice process; the right to timely disposition of the case following the arrest of the accused; the right to obtain information about and be allowed to be present at all criminal or juvenile proceedings where the accused has the right to be present; the right to be allowed to be heard, upon request, at sentencing, before or after conviction or juvenile adjudication, and at any proceeding where the accused's release from custody is considered; the right to restitution from the accused; and the right to be informed, upon request, of the accused's escape or release from custody before or after conviction or juvenile adjudication. [Amendment approved November 8, 1994 – Effective December 30, 1994]

§ 25. Marriage. To be valid or recognized in this State, a marriage may exist only between one man and one woman. [Amendment approved November 3, 1998 – Effective January 3, 1999.]

Editor's Note. Article I, Section 25 consists of the first sentence of 1998 Legislative Resolve 71 (20th Legislature's HCS CSSJR 42 (RLS)). The second sentence of 1998 Legislative Resolve 71 did not appear on the ballot pursuant to an order of the Supreme Court of the State of Alaska in Bess v. Ulmer, 985 P.2d 979 (Alaska 1999) (Preliminary opinion and order dated September 22, 1998.)

ARTICLE II

ARTICLE II
The Legislature

Sec.

1. Legislative Power; Membership.
2. Members' Qualifications.
3. Election and Terms.
4. Vacancies.
5. Disqualifications.
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8. Regular Sessions.
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15. Veto.
16. Action Upon Veto.
17. Bills Not Signed.
18. Effective Date.
19. Local or Special Acts.
20. Impeachment.
21. Suits Against the State.

§ 1. Legislative Power; Membership. The legislative power of the State is vested in a legislature consisting of a senate with a membership of twenty and a house of representatives with a membership of forty.

§ 2. Members' Qualifications. A member of the legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his filing for office. A senator shall be at least twenty-five years of age and a representative at least twenty-one years of age.

§ 3. Election and Terms. Legislators shall

be elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives shall be two years, and the term of senators, four years. One-half of the senators shall be elected every two years.

Editor's Note. The legislature has provided that the terms of legislators begin on the second Monday in January following a presidential election year and on the third Tuesday in January following a gubernatorial election year. See AS 24.05.080.

§ 4. Vacancies. A vacancy in the legislature shall be filled for the unexpired term as provided by law. If no provision is made, the governor shall fill the vacancy by appointment.

§ 5. Disqualifications. No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected, or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state, or member of Congress. This section shall not apply to employment by or election to a constitutional convention.

Editor's Note. Senate Joint Resolution No. 2, "changing the name of the secretary of state to lieutenant governor" in 16 sections of the Alaska Constitution, approved by the voters August 25, 1970, inadvertently omitted express amendment to this section.

§ 6. Immunities. Legislators may not be held to answer before any other tribunal for

any statement made in the exercise of their legislative duties while the legislature is in session. Members attending, going to, or returning from legislative sessions are not subject to civil process and are privileged from arrest except for felony or breach of the peace.

§ 7. Salary and Expenses. Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation.

§ 8. Regular Sessions. The legislature shall convene in regular session each year on the fourth Monday in January, but the month and day may be changed by law. The legislature shall adjourn from regular session no later than one hundred twenty consecutive calendar days from the date it convenes except that a regular session may be extended once for up to ten consecutive calendar days. An extension of the regular session requires the affirmative vote of at least two-thirds of the membership of each house of the legislature. The legislature shall adopt as part of the uniform rules of procedure deadlines for scheduling session work not inconsistent with provisions controlling the length of the session. [Amendment approved November 6, 1984 – Effective December 30, 1984]

§ 9. Special Sessions. Special sessions may be called by the governor or by vote of two-thirds of the legislators. The vote may be conducted by the legislative council or as prescribed by law. At special sessions called by the governor, legislation shall be limited to subjects designated in his proclamation calling the session, to subjects presented by

him, and the reconsideration of bills vetoed by him after adjournment of the last regular session. Special sessions are limited to thirty days. [Amendment approved November 2, 1976 – Effective December 23, 1976]

§ 10. Adjournment. Neither house may adjourn or recess for longer than three days unless the other concurs. If the two houses cannot agree on the time of adjournment and either house certifies the disagreement to the governor, he may adjourn the legislature.

§ 11. Interim Committees. There shall be a legislative council, and the legislature may establish other interim committees. The council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as provided by the legislature. Their members may receive an allowance for expenses while performing their duties.

§ 12. Rules. The houses of each legislature shall adopt uniform rules of procedure. Each house may choose its officers and employees. Each is the judge of the election and qualifications of its members and may expel a member with the concurrence of two-thirds of its members. Each shall keep a journal of its proceedings. A majority of the membership of each house constitutes a quorum to do business, but a smaller number may adjourn from day to day and may compel attendance of absent members. The legislature shall regulate lobbying.

§ 13. Form of Bills. Every bill shall be confined to one subject unless it is an appropriation bill or one codifying, revising, or rearranging existing laws. Bills for appropriations shall be confined to appropriations.

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The subject of each bill shall be expressed in the title. The enacting clause shall be: “Be it enacted by the Legislature of the State of Alaska.”

§ 14. Passage of Bills. The legislature shall establish the procedure for enactment of bills into law. No bill may become law unless it has passed three readings in each house on three separate days, except that any bill may be advanced from second to third reading on the same day by concurrence of three-fourths of the house considering it. No bill may become law without an affirmative vote of a majority of the membership of each house. The yeas and nays on final passage shall be entered in the journal.

§ 15. Veto. The governor may veto bills passed by the legislature. He may, by veto, strike or reduce items in appropriation bills. He shall return any vetoed bill, with a statement of his objections, to the house of origin.

§ 16. Action upon Veto. Upon receipt of a veto message during a regular session of the legislature, the legislature shall meet immediately in joint session and reconsider passage of the vetoed bill or item. Bills to raise revenue and appropriation bills or items, although vetoed, become law by affirmative vote of three-fourths of the membership of the legislature. Other vetoed bills become law by affirmative vote of two-thirds of the membership of the legislature. Bills vetoed after adjournment of the first regular session of the legislature shall be reconsidered by the legislature sitting as one body no later than the fifth day of the next regular or special session of that legislature. Bills vetoed after adjournment of the second regular ses-

sion shall be reconsidered by the legislature sitting as one body no later than the fifth day of a special session of that legislature, if one is called. The vote on reconsideration of a vetoed bill shall be entered on the journals of both houses. [Amendment approved November 2, 1976 – Effective December 23, 1976]

§ 17. Bills not Signed. A bill becomes law if, while the legislature is in session, the governor neither signs nor vetoes it within fifteen days, Sundays excepted, after its delivery to him. If the legislature is not in session and the governor neither signs nor vetoes a bill within twenty days, Sundays excepted, after its delivery to him, the bill becomes law.

§ 18. Effective Date. Laws passed by the legislature become effective ninety days after enactment. The legislature may, by concurrence of two-thirds of the membership of each house, provide for another effective date.

§ 19. Local or Special Acts. The legislature shall pass no local or special act if a general act can be made applicable. Whether a general act can be made applicable shall be subject to judicial determination. Local acts necessitating appropriations by a political subdivision may not become effective unless approved by a majority of the qualified voters voting thereon in the subdivision affected.

§ 20. Impeachment. All civil officers of the State are subject to impeachment by the legislature. Impeachment shall originate in the senate and must be approved by a two-thirds vote of its members. The motion for

impeachment shall list fully the basis for the proceeding. Trial on impeachment shall be conducted by the house of representatives. A supreme court justice designated by the court shall preside at the trial. Concurrence of two-thirds of the members of the house is required for a judgment of impeachment. The judgment may not extend beyond removal from office, but shall not prevent proceedings in the courts on the same or related charges.

§ 21. Suits against the State. The legislature shall establish procedures for suits against the State.



ARTICLE III

The Executive

Sec.

1. Executive Power.
2. Governor's Qualifications.
3. Election.
4. Term of Office.
5. Limit on Tenure.
6. Dual Office Holding.
7. Lieutenant Governor Duties.
8. Same - Election.
9. Acting Governor.
10. Succession; Failure to Qualify.
11. Vacancy.
12. Absence.
13. Further Succession.

14. Title and Authority of Successor.
15. Compensation.
16. Governor's Authority.
17. Convening Legislature.
18. Messages to Legislature.
19. Military Authority.
20. Martial Law.
21. Executive Clemency.
22. Executive Branch.
23. Reorganization.
24. Supervision.
25. Department Heads.
26. Boards and Commissions.
27. Recess Appointments.

§ 1. Executive Power. The executive power of the State is vested in the governor.

§ 2. Governor's Qualifications. The governor shall be at least thirty years of age and a qualified voter of the State. He shall have been a resident of Alaska at least seven years immediately preceding his filing for office, and he shall have been a citizen of the United States for at least seven years.

§ 3. Election. The governor shall be chosen by the qualified voters of the State at a general election. The candidate receiving the greatest number of votes shall be governor.

§ 4. Term of Office. The term of office of the governor is four years, beginning at noon on the first Monday in December following his election and ending at noon on the first Monday in December four years later.

§ 5. Limit on Tenure. No person who has been elected governor for two full successive terms shall be again eligible to hold that office until one full term has intervened.

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§ 6. Dual Office Holding. The governor shall not hold any other office or position of profit under the United States, the State, or its political subdivisions.

§ 7. Lieutenant Governor Duties. There shall be a lieutenant governor. He shall have the same qualifications as the governor and serve for the same term. He shall perform such duties as may be prescribed by law and as may be delegated to him by the governor. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 8. Same – Election. The lieutenant governor shall be nominated in the manner provided by law for nominating candidates for other elective offices. In the general election the votes cast for a candidate for governor shall be considered as cast also for the candidate for lieutenant governor running jointly with him. The candidate whose name appears on the ballot jointly with that of the successful candidate for governor shall be elected lieutenant governor. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 9. Acting Governor. In case of the temporary absence of the governor from office, the lieutenant governor shall serve as acting governor. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 10. Succession; Failure to Qualify. If the governor-elect dies, resigns, or is disqualified, the lieutenant governor elected with him shall succeed to the office of governor for the full term. If the governor-elect fails to assume office for any other reason, the lieutenant governor elected with him shall serve as acting governor, and shall succeed

to the office if the governor-elect does not assume his office within six months of the beginning of the term. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 11. Vacancy. In case of a vacancy in the office of governor for any reason, the lieutenant governor shall succeed to the office for the remainder of the term. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 12. Absence. Whenever for a period of six months, a governor has been continuously absent from office or has been unable to discharge the duties of his office by reason of mental or physical disability, the office shall be deemed vacant. The procedure for determining absence and disability shall be prescribed by law.

§ 13. Further Succession. Provision shall be made by law for succession to the office of governor and for an acting governor in the event that the lieutenant governor is unable to succeed to the office or act as governor. No election of a lieutenant governor shall be held except at the time of electing a governor. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 14. Title and Authority of Successor. When the lieutenant governor succeeds to the office of governor, he shall have the title, powers, duties and emoluments of that office. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 15. Compensation. The compensation of the governor and the lieutenant governor shall be prescribed by law and shall not be

diminished during their term of office, unless by general law applying to all salaried officers of the State. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 16. Governor's Authority. The governor shall be responsible for the faithful execution of the laws. He may, by appropriate court action or proceeding brought in the name of the State, enforce compliance with any constitutional or legislative mandate, or restrain violation of any constitutional or legislative power, duty, or right by any officer, department, or agency of the State or any of its political subdivisions. This authority shall not be construed to authorize any action or proceeding against the legislature.

§ 17. Convening Legislature. Whenever the governor considers it in the public interest, he may convene the legislature, either house, or the two houses in joint session.

§ 18. Messages to Legislature. The governor shall, at the beginning of each session, and may at other times, give the legislature information concerning the affairs of the State and recommend the measures he considers necessary.

§ 19. Military Authority. The governor is commander-in-chief of the armed forces of the State. He may call out these forces to execute the laws, suppress or prevent insurrection or lawless violence, or repel invasion. The governor, as provided by law, shall appoint all general and flag officers of the armed forces of the State, subject to confirmation by a majority of the members of the legislature in joint session. He shall appoint and commission all other officers.

§ 20. Martial Law. The governor may proclaim martial law when the public safety requires it in case of rebellion or actual or imminent invasion. Martial law shall not continue for longer than twenty days without the approval of a majority of the members of the legislature in joint session.

§ 21. Executive Clemency. Subject to procedure prescribed by law, the governor may grant pardons, commutations, and reprieves, and may suspend and remit fines and forfeitures. This power shall not extend to impeachment. A parole system shall be provided by law.

§ 22. Executive Branch. All executive and administrative offices, departments, and agencies of the state government and their respective functions, powers, and duties shall be allocated by law among and within not more than twenty principal departments, so as to group them as far as practicable according to major purposes. Regulatory, quasi-judicial, and temporary agencies may be established by law and need not be allocated within a principal department.

§ 23. Reorganization. The governor may make changes in the organization of the executive branch or in the assignment of functions among its units which he considers necessary for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders. The legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. Unless disapproved by resolution concurred in by a majority of the members in joint session, these orders become effective at a date thereafter to be designated by the governor.

ARTICLE IV

§ 24. Supervision. Each principal department shall be under the supervision of the governor.

§ 25. Department Heads. The head of each principal department shall be a single executive unless otherwise provided by law. He shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and shall serve at the pleasure of the governor, except as otherwise provided in this article with respect to the secretary of state. The heads of all principal departments shall be citizens of the United States.

Editor's Note. Senate Joint Resolution No. 2, "changing the name of the secretary of state to lieutenant governor" in 16 sections of the Alaska Constitution, approved by the voters August 25, 1970, inadvertently omitted express amendment of this section.

§ 26. Boards and Commissions. When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session, and may be removed as provided by law. They shall be citizens of the United States. The board or commission may appoint a principal executive officer when authorized by law, but the appointment shall be subject to the approval of the governor.

§ 27. Recess Appointments. The governor may make appointments to fill vacancies occurring during a recess of the legislature, in offices requiring confirmation by the legislature. The duration of such appointments shall be prescribed by law.

ARTICLE IV
The Judiciary

Sec.

1. Judicial Power and Jurisdiction.
2. Supreme Court.
3. Superior Court.
4. Qualifications of Justices and Judges.
5. Nomination and Appointment.
6. Approval or Rejection.
7. Vacancy.
8. Judicial Council.
9. Additional Duties.
10. Commission on Judicial Conduct.
11. Retirement.
12. Impeachment.
13. Compensation.
14. Restrictions.
15. Rule-Making Power.
16. Court Administration.

§ 1. Judicial Power and Jurisdiction. The judicial power of the State is vested in a supreme court, a superior court, and the courts established by the legislature. The jurisdiction of courts shall be prescribed by law. The courts shall constitute a unified judicial system for operation and administration. Judicial districts shall be established by law.

§ 2. Supreme Court.

(a) The supreme court shall be the highest court of the State, with final appellate jurisdiction. It shall consist of three justices, one of whom is chief justice. The number of justices may be increased by law upon the request of the supreme court.

(b) The chief justice shall be selected from among the justices of the supreme court by a majority vote of the justices. His term of office as chief justice is three years. A jus-

tice may serve more than one term as chief justice but he may not serve consecutive terms in that office. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 3. Superior Court. The superior court shall be the trial court of general jurisdiction and shall consist of five judges. The number of judges may be changed by law.

§ 4. Qualifications of Justices and Judges. Supreme court justices and superior court judges shall be citizens of the United States and of the State, licensed to practice law in the State, and possessing any additional qualifications prescribed by law. Judges of other courts shall be selected in a manner, for terms, and with qualifications prescribed by law.

§ 5. Nomination and Appointment. The governor shall fill any vacancy in an office of supreme court justice or superior court judge by appointing one of two or more persons nominated by the judicial council.

§ 6. Approval or Rejection. Each supreme court justice and superior court judge shall, in the manner provided by law, be subject to approval or rejection on a nonpartisan ballot at the first general election held more than three years after his appointment. Thereafter, each supreme court justice shall be subject to approval or rejection in a like manner every tenth year, and each superior court judge, every sixth year.

§ 7. Vacancy. The office of any supreme court justice or superior court judge becomes vacant ninety days after the election at which he is rejected by a majority of those voting

on the question, or for which he fails to file his declaration of candidacy to succeed himself.

§ 8. Judicial Council. The judicial council shall consist of seven members. Three attorney members shall be appointed for six-year terms by the governing body of the organized state bar. Three non-attorney members shall be appointed for six-year terms by the governor subject to confirmation by a majority of the members of the legislature in joint session. Vacancies shall be filled for the unexpired term in like manner. Appointments shall be made with due consideration to area representation and without regard to political affiliation. The chief justice of the supreme court shall be ex-officio the seventh member and chairman of the judicial council. No member of the judicial council, except the chief justice, may hold any other office or position of profit under the United States or the State. The judicial council shall act by concurrence of four or more members and according to rules which it adopts.

§ 9. Additional Duties. The judicial council shall conduct studies for improvement of the administration of justice, and make reports and recommendations to the supreme court and to the legislature at intervals of not more than two years. The judicial council shall perform other duties assigned by law.

§ 10. Commission on Judicial Conduct. The Commission on Judicial Conduct shall consist of nine members, as follows: three persons who are justices or judges of state courts, elected by the justices and judges of state courts; three members who have practiced law in this state for ten years, appointed by the governor from nominations made by

ARTICLE IV

the governing body of the organized bar and subject to confirmation by a majority of the members of the legislature in joint session; and three persons who are not judges, retired judges, or members of the state bar, appointed by the governor and subject to confirmation by a majority of the members of the legislature in joint session. In addition to being subject to impeachment under Section 12 of this article, a justice or judge may be disqualified from acting as such and may be suspended, removed from office, retired, or censured by the supreme court upon the recommendation of the commission. The powers and duties of the commission and the bases for judicial disqualification shall be established by law. [Amendment approved August 27, 1968 – Effective October 11, 1968; Amendment approved November 2, 1982 – Effective December 24, 1982]

§ 11. Retirement. Justices and judges shall be retired at the age of seventy except as provided in this article. The basis and amount of retirement pay shall be prescribed by law. Retired judges shall render no further service on the bench except for special assignments as provided by court rule.

§ 12. Impeachment. Impeachment of any justice or judge for malfeasance or misfeasance in the performance of his official duties shall be according to procedure prescribed for civil officers.

§ 13. Compensation. Justices, judges, and members of the judicial council and the Commission on Judicial Qualifications shall receive compensation as prescribed by law. Compensation of justices and judges shall not be diminished during their terms of of-

fice, unless by general law applying to all salaried officers of the State. [Amendment approved August 27, 1968 – Effective October 11, 1968]

§ 14. Restrictions. Supreme court justices and superior court judges while holding office may not practice law, hold office in a political party, or hold any other office or position of profit under the United States, the State, or its political subdivisions. Any supreme court justice or superior court judge filing for another elective public office forfeits his judicial position.

§ 15. Rule-Making Power. The supreme court shall make and promulgate rules governing the administration of all courts. It shall make and promulgate rules governing practice and procedure in civil and criminal cases in all courts. These rules may be changed by the legislature by two-thirds vote of the members elected to each house.

§ 16. Court Administration. The chief justice of the supreme court shall be the administrative head of all courts. He may assign judges from one court or division thereof to another for temporary service. The chief justice shall, with the approval of the supreme court, appoint an administrative director to serve at the pleasure of the supreme court and to supervise the administrative operations of the judicial system. [Amendment approved August 25, 1970 – Effective October 10, 1970]

ARTICLE V

Suffrage and Elections

Sec.

1. Qualified Voters.
2. Disqualifications.
3. Methods of Voting; Election Contests.
4. Voting Precincts; Registration.
5. General Elections.

§ 1. Qualified Voters. Every citizen of the United States who is at least eighteen years of age, who meets registration residency requirements which may be prescribed by law, and who is qualified to vote under this article, may vote in any state or local election. A voter shall have been, immediately preceding the election, a thirty day resident of the election district in which he seeks to vote, except that for purposes of voting for President and Vice President of the United States other residency requirements may be prescribed by law. Additional voting qualifications may be prescribed by law for bond issue elections of political subdivisions. [Amendment approved August 23, 1966 – Effective October 9, 1966; Amendment approved August 25, 1970 – Effective October 10, 1970; Amendment approved August 22, 1972 – Effective October 14, 1972]

§ 2. Disqualifications. No person may vote who has been convicted of a felony involving moral turpitude unless his civil rights have been restored. No person may vote who has been judicially determined to be of unsound mind unless the disability has been removed.

§ 3. Methods of Voting; Election Contests. Methods of voting, including absentee voting, shall be prescribed by law. Sec-

recy of voting shall be preserved. The procedure for determining election contests, with right of appeal to the courts, shall be prescribed by law.

§ 4. Voting Precincts; Registration. The legislature may provide a system of permanent registration of voters, and may establish voting precincts within election districts.

§ 5. General Elections. General elections shall be held on the second Tuesday in October of every even-numbered year, but the month and day may be changed by law.

Editor's Note. Exercising its authority under this section, the legislature has provided that the date of general elections is the Tuesday after the first Monday in November in every even-numbered year. See AS 15.15.020.



ARTICLE VI

Legislative Apportionment

Sec.

1. House Districts.
2. Senate Districts.
3. Reapportionment of House and Senate.
4. Method of Redistricting.
5. Combining Districts.
6. District Boundaries.
7. Modification of Senate Districts.
8. Redistricting Board.
9. Board Actions.
10. Redistricting Plan and Proclamation.
11. Enforcement.

ARTICLE VI

§ 1. House Districts. Members of the house of representatives shall be elected by the qualified voters of the respective house districts. The boundaries of the house districts shall be set under this article following the official reporting of each decennial census of the United States. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 2. Senate Districts. Members of the senate shall be elected by the qualified voters of the respective senate districts. The boundaries of the senate districts shall be set under this article following the official reporting of each decennial census of the United States. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 3. Reapportionment of House and Senate. The Redistricting Board shall reapportion the house of representatives and the senate immediately following the official reporting of each decennial census of the United States. Reapportionment shall be based upon the population within each house and senate district as reported by the official decennial census of the United States. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 4. Method of Redistricting. The Redistricting Board shall establish forty house districts, with each house district to elect one member of the house of representatives. The board shall establish twenty senate districts, each composed of two house districts, with each senate district to elect one senator. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 5. Combining Districts. [Repealed by 1998 Ballot measure No. 3 (1998 Legislative Resolve 74; 20th Legislature’s SCS CSHJR 44 (JUD)).]

§ 6. District Boundaries. The Redistricting Board shall establish the size and area of house districts, subject to the limitations of this article. Each house district shall be formed of contiguous and compact territory containing as nearly as practicable a relatively integrated socio-economic area. Each shall contain a population as near as practicable to the quotient obtained by dividing the population of the state by forty. Each senate district shall be composed as near as practicable of two contiguous house districts. Consideration may be given to local government boundaries. Drainage and other geographic features shall be used in describing boundaries wherever possible. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 7. Modification of Senate Districts. [Repealed by 1998 Ballot measure No. 3 (1998 Legislative Resolve 74; 20th Legislature’s SCS CSHJR 44 (JUD)).]

§ 8. Redistricting Board. (a) There shall be a redistricting board. It shall consist of five members, all of whom shall be residents of the state for at least one year and none of whom may be public employees or officials at the time of or during the tenure of appointment. Appointments shall be made without regard to political affiliation. Board members shall be compensated.

(b) Members of the Redistricting Board shall be appointed in the year in which an official decennial census of the United States is taken and by September 1 of that year. The

governor shall appoint two members of the board. The presiding officer of the senate, the presiding officer of the house of representatives, and the chief justice of the supreme court shall each appoint one member of the board. The appointments to the board shall be made in the order listed in this subsection. At least one board member shall be a resident of each judicial district that existed on January 1, 1999. Board members serve until a final plan for redistricting and proclamation of redistricting has been adopted and all challenges to it brought under Section 11 of this article have been resolved after final remand or affirmation.

(c) A person who was a member of the Redistricting Board at any time during the process leading to final adoption of a redistricting plan under Section 10 of this article may not be a candidate for the legislature in the general election following the adoption of the final redistricting plan. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 9. Board Actions. The board shall elect one of its members chairman and may employ temporary assistants. Concurrence of three members of the Redistricting Board is required for actions of the Board, but a lesser number may conduct hearings. The board shall employ or contract for services of independent legal counsel. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 10. Redistricting Plan and Proclamation.

(a) Within thirty days after the official reporting of the decennial census of the United States or thirty days after being duly appointed, whichever occurs last, the board shall adopt one or more proposed redistrict-

ing plans. The board shall hold public hearings on the proposed plan, or, if no single proposed plan is agreed on, on all plans proposed by the board. No later than ninety days after the board has been appointed and the official reporting of the decennial census of the United States, the board shall adopt a final redistricting plan and issue a proclamation of redistricting. The final plan shall set out boundaries of house and senate districts and shall be effective for the election of members of the legislature until after the official reporting of the next decennial census of the United States.

(b) Adoption of a final redistricting plan shall require the affirmative votes of three members of the Redistricting Board. [Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 11. Enforcement. Any qualified voter may apply to the superior court to compel the Redistricting Board, by mandamus or otherwise, to perform its duties under this article or to correct any error in redistricting. Application to compel the board to perform must be filed not later than thirty days following the expiration of the ninety-day period specified in this article. Application to compel correction of any error in redistricting must be filed within thirty days following the adoption of the final redistricting plan and proclamation by the board. Original jurisdiction in these matters is vested in the superior court. On appeal from the superior court, the cause shall be reviewed by the supreme court on the law and the facts. Notwithstanding Section 15 of Article IV, all dispositions by the superior court and the supreme court under this section shall be expedited and shall have priority over all other matters pending before the respective court.

ARTICLES VII & VIII

Upon a final judicial decision that a plan is invalid, the matter shall be returned to the board for correction and development of a new plan. If that new plan is declared invalid, the matter may be referred again to the board. [Amendment approved November 3, 1998 – Effective January 3, 1999]



**ARTICLE VII
Health, Education and Welfare**

Sec.

1. Public Education.
2. State University.
3. Board of Regents of University.
4. Public Health.
5. Public Welfare.

§ 1. Public Education. The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.

§ 2. State University. The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be administered and disposed of according to law.

§ 3. Board of Regents of University. The University of Alaska shall be governed by a board of regents. The regents shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.

§ 4. Public Health. The legislature shall provide for the promotion and protection of public health.

§ 5. Public Welfare. The legislature shall provide for public welfare.



**ARTICLE VIII
Natural Resources**

Sec.

1. Statement of Policy.
2. General Authority.
3. Common Use.
4. Sustained Yield.
5. Facilities and Improvements.
6. State Public Domain.
7. Special Purpose Sites.
8. Leases.
9. Sales and Grants.
10. Public Notice.
11. Mineral Rights.
12. Mineral Leases and Permits.
13. Water Rights.

ARTICLE VIII

- 14. Access to Navigable Waters.
- 15. No Exclusive Right of Fishery.
- 16. Protection of Rights.
- 17. Uniform Application.
- 18. Private Ways of Necessity.

§ 1. Statement of Policy. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

§ 2. General Authority. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

§ 3. Common Use. Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

§ 4. Sustained Yield. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

§ 5. Facilities and Improvements. The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

§ 6. State Public Domain. Lands and interests therein, including submerged and tidal lands, possessed or acquired by the

State, and not used or intended exclusively for governmental purposes, constitute the state public domain. The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

§ 7. Special Purpose Sites. The legislature may provide for the acquisition of sites, objects, and areas of natural beauty or of historic, cultural, recreational, or scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment, and welfare of the people.

§ 8. Leases. The legislature may provide for the leasing of, and the issuance of permits for exploration of, any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from noncompliance with terms governing concurrent use, and for forfeiture in the event of breach of conditions.

§ 9. Sales and Grants. Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain such reservations to the State of all resources as may be required by Congress or the State and shall provide for access to these resources. Reservation of access shall not unnecessarily impair the owners' use, prevent the control of trespass, or preclude compensation for damages.

§ 10. Public Notice. No disposals or leases of state lands, or interests therein, shall be

ARTICLE VIII

made without prior public notice and other safeguards of the public interest as may be prescribed by law.

§ 11. Mineral Rights. Discovery and appropriation shall be the basis for establishing a right in those minerals reserved to the State which, upon the date of ratification of this constitution by the people of Alaska, were subject to location under the federal mining laws. Prior discovery, location, and filing, as prescribed by law, shall establish a prior right to these minerals and also a prior right to permits, leases, and transferable licenses for their extraction. Continuation of these rights shall depend upon the performance of annual labor, or the payment of fees, rents, or royalties, or upon other requirements as may be prescribed by law. Surface uses of land by a mineral claimant shall be limited to those necessary for the extraction or basic processing of the mineral deposits, or for both. Discovery and appropriation shall initiate a right, subject to further requirements of law, to patent of mineral lands if authorized by the State and not prohibited by Congress. The provisions of this section shall apply to all other minerals reserved to the State which by law are declared subject to appropriation.

§ 12. Mineral Leases and Permits. The legislature shall provide for the issuance, types and terms of leases for coal, oil, gas, oil shale, sodium, phosphate, potash, sulfur, pumice, and other minerals as may be prescribed by law. Leases and permits giving the exclusive right of exploration for these minerals for specific periods and areas, subject to reasonable concurrent exploration as to different classes of minerals, may be authorized by law. Like leases and permits giving the

exclusive right of prospecting by geophysical, geochemical, and similar methods for all minerals may also be authorized by law.

§ 13. Water Rights. All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences among beneficial uses, concurrent or otherwise, as prescribed by law, and to the general reservation of fish and wildlife.

§ 14. Access to Navigable Waters. Free access to the navigable or public waters of the State, as defined by the legislature, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.

§ 15. No Exclusive Right of Fishery. No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State. [Amendment approved August 22, 1972 – Effective October 14, 1972]

§ 16. Protection of Rights. No person shall be involuntarily divested of his right to the use of waters, his interests in lands, or improvements affecting either, except for a su-

ARTICLE IX

perior beneficial use or public purpose and then only with just compensation and by operation of law.

§ 17. Uniform Application. Laws and regulations governing the use or disposal of natural resources shall apply equally to all persons similarly situated with reference to the subject matter and purpose to be served by the law or regulation.

§ 18. Private Ways of Necessity. Proceedings in eminent domain may be undertaken for private ways of necessity to permit essential access for extraction or utilization of resources. Just compensation shall be made for property taken or for resultant damages to other property rights.



ARTICLE IX Finance and Taxation

Sec.

1. Taxing Power.
2. Nondiscrimination.
3. Assessment Standards.
4. Exemptions.
5. Interests in Government Property.
6. Public Purpose.
7. Dedicated Funds.
8. State Debt.
9. Local Debts.
10. Interim Borrowing.
11. Exceptions.
12. Budget.
13. Expenditures.

14. Legislative Post-Audit.
15. Alaska Permanent Fund.
16. Appropriation Limit.
17. Budget Reserve Fund.

§ 1. Taxing Power. The power of taxation shall never be surrendered. This power shall not be suspended or contracted away, except as provided in this article.

§ 2. Nondiscrimination. The lands and other property belonging to citizens of the United States residing without the State shall never be taxed at a higher rate than the lands and other property belonging to the residents of the State.

§ 3. Assessment Standards. Standards for appraisal of all property assessed by the State or its political subdivisions shall be prescribed by law.

§ 4. Exemptions. The real and personal property of the State or its political subdivisions shall be exempt from taxation under conditions and exceptions which may be provided by law. All, or any portion of, property used exclusively for non-profit religious, charitable, cemetery, or educational purposes, as defined by law, shall be exempt from taxation. Other exemptions of like or different kind may be granted by general law. All valid existing exemptions shall be retained until otherwise provided by law.

§ 5. Interests in Government Property. Private leaseholds, contracts, or interests in land or property owned or held by the United States, the State, or its political subdivisions, shall be taxable to the extent of the interests.

ARTICLE IX

§ 6. Public Purpose. No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose.

§ 7. Dedicated Funds. The proceeds of any state tax or license shall not be dedicated to any special purpose, except as provided in Section 15 of this article or when required by the federal government for state participation in federal programs. This provision shall not prohibit the continuance of any dedication for special purposes existing upon the date of ratification of this section by the people of Alaska. [Amendment approved November 2, 1976 – Effective February 21, 1977]

§ 8. State Debt. No state debt shall be contracted unless authorized by law for capital improvements or unless authorized by law for housing loans for veterans, and ratified by a majority of the qualified voters of the State who vote on the question. The State may, as provided by law and without ratification, contract debt for the purpose of repelling invasion, suppressing insurrection, defending the State in war, meeting natural disasters, or redeeming indebtedness outstanding at the time this constitution becomes effective. [Amendment approved November 2, 1982 – Effective December 24, 1982]

§ 9. Local Debts. No debt shall be contracted by any political subdivision of the State, unless authorized for capital improvements by its governing body and ratified by a majority vote of those qualified to vote and voting on the question.

§ 10. Interim Borrowing. The State and its political subdivisions may borrow money to meet appropriations for any fiscal year in anticipation of the collection of the revenues for that year, but all debt so contracted shall be paid before the end of the next fiscal year.

§ 11. Exceptions. The restrictions on contracting debt do not apply to debt incurred through the issuance of revenue bonds by a public enterprise or public corporation of the State or a political subdivision, when the only security is the revenues of the enterprise or corporation. The restrictions do not apply to indebtedness to be paid from special assessments on the benefited property, nor do they apply to refunding indebtedness of the State or its political subdivisions.

§ 12. Budget. The governor shall submit to the legislature, at a time fixed by law, a budget for the next fiscal year setting forth all proposed expenditures and anticipated income of all departments, offices, and agencies of the State. The governor, at the same time, shall submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

§ 13. Expenditures. No money shall be withdrawn from the treasury except in accordance with appropriations made by law. No obligation for the payment of money shall be incurred except as authorized by law. Unobligated appropriations outstanding at the end of the period of time specified by law shall be void.

§ 14. Legislative Post–Audit. The legislature shall appoint an auditor to serve at its pleasure. He shall be a certified public ac-

countant. The auditor shall conduct post-audits as prescribed by law and shall report to the legislature and to the governor.

§ 15. Alaska Permanent Fund. At least twenty-five per cent of all mineral lease rentals, royalties, royalty sale proceeds, federal mineral revenue sharing payments and bonuses received by the State shall be placed in a permanent fund, the principal of which shall be used only for those income-producing investments specifically designated by law as eligible for permanent fund investments. All income from the permanent fund shall be deposited in the general fund unless otherwise provided by law. [Amendment approved November 2, 1976 – Effective February 21, 1977]

§ 16. Appropriation Limit. Except for appropriations for Alaska permanent fund dividends, appropriations of revenue bond proceeds, appropriations required to pay the principal and interest on general obligation bonds, and appropriations of money received from a nonstate source in trust for a specific purpose, including revenues of a public enterprise or public corporation of the State that issues revenue bonds, appropriations from the treasury made for a fiscal year shall not exceed \$2,500,000,000 by more than the cumulative change, derived from federal indices as prescribed by law, in population and inflation since July 1, 1981. Within this limit, at least one-third shall be reserved for capital projects and loan appropriations. The legislature may exceed this limit in bills for appropriations to the Alaska permanent fund and in bills for appropriations for capital projects, whether of bond proceeds or otherwise, if each bill is approved by the governor, or passed by affirmative vote of three-

fourths of the membership of the legislature over a veto or item veto, or becomes law without signature, and is also approved by the voters as prescribed by law. Each bill for appropriations for capital projects in excess of the limit shall be confined to capital projects of the same type, and the voters shall, as provided by law, be informed of the cost of operations and maintenance of the capital projects. No other appropriation in excess of this limit may be made except to meet a state of disaster declared by the governor as prescribed by law. The governor shall cause any unexpended and unappropriated balance to be invested so as to yield competitive market rates to the treasury. [Amendment approved November 2, 1982 – Effective December 24, 1982]

§ 17. Budget Reserve Fund. (a) There is established as a separate fund in the State treasury the budget reserve fund. Except for money deposited into the permanent fund under Section 15 of this article, all money received by the State after July 1, 1990, as a result of the termination, through settlement or otherwise, of an administrative proceeding or of litigation in a State or federal court involving mineral lease bonuses, rentals, royalties, royalty sale proceeds, federal mineral revenue sharing payments or bonuses, or involving taxes imposed on mineral income, production, or property, shall be deposited in the budget reserve fund. Money in the budget reserve fund shall be invested so as to yield competitive market rates to the fund. Income of the fund shall be retained in the fund. Section 7 of this article does not apply to deposits made to the fund under this subsection. Money may be appropriated from the fund only as authorized under (b) or (c) of this section.

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(b) If the amount available for appropriation for a fiscal year is less than the amount appropriated for the previous fiscal year, an appropriation may be made from the budget reserve fund. However, the amount appropriated from the fund under this subsection may not exceed the amount necessary, when added to other funds available for appropriation, to provide for total appropriations equal to the amount of appropriations made in the previous calendar year for the previous fiscal year.

(c) An appropriation from the budget reserve fund may be made for any public purpose upon affirmative vote of three-fourths of the members of each house of the legislature.

(d) If an appropriation is made from the budget reserve fund, until the amount appropriated is repaid, the amount of money in the general fund available for appropriation at the end of each succeeding fiscal year shall be deposited in the budget reserve fund. The legislature shall implement this subsection by law. [Amendment approved November 6, 1990 – Effective January 2, 1991]

4. Assembly.
5. Service Areas.
6. Unorganized Boroughs.
7. Cities.
8. Council.
9. Charters.
10. Extended Home Rule.
11. Home Rule Powers.
12. Boundaries.
13. Agreements; Transfer of Powers.
14. Local Government Agency.
15. Special Service Districts.

§ 1. Purpose and Construction. The purpose of this article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax levying jurisdictions. A liberal construction shall be given to the powers of local government units.

§ 2. Local Government Powers. All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.

§ 3. Boroughs. The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible. The legislature shall classify boroughs and prescribe their powers and functions. Methods by which boroughs may be organized, incorporated, merged, consolidated, reclassified, or dissolved shall be prescribed by law.

ARTICLE X
Local Government

Sec.

1. Purpose and Construction.
2. Local Government Powers.
3. Boroughs.

§ 4. **Assembly.** The governing body of the organized borough shall be the assembly, and its composition shall be established by law or charter. [Amendment approved August 22, 1972 – Effective October 14, 1972]

§ 5. **Service Areas.** Service areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter. A new service area shall not be established if, consistent with the purposes of this article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city. The assembly may authorize the levying of taxes, charges, or assessments within a service area to finance the special services.

§ 6. **Unorganized Boroughs.** The legislature shall provide for the performance of services it deems necessary or advisable in unorganized boroughs, allowing for maximum local participation and responsibility. It may exercise any power or function in an unorganized borough which the assembly may exercise in an organized borough.

§ 7. **Cities.** Cities shall be incorporated in a manner prescribed by law, and shall be a part of the borough in which they are located. Cities shall have the powers and functions conferred by law or charter. They may be merged, consolidated, classified, reclassified, or dissolved in the manner provided by law.

§ 8. **Council.** The governing body of a city shall be the council.

§ 9. **Charters.** The qualified voters of any borough of the first class or city of the first class may adopt, amend, or repeal a home rule charter in a manner provided by law. In the absence of such legislation, the governing body of a borough or city of the first class shall provide the procedure for the preparation and adoption or rejection of the charter. All charters, or parts or amendments of charters, shall be submitted to the qualified voters of the borough or city, and shall become effective if approved by a majority of those who vote on the specific question.

§ 10. **Extended Home Rule.** The legislature may extend home rule to other boroughs and cities.

§ 11. **Home Rule Powers.** A home rule borough or city may exercise all legislative powers not prohibited by law or by charter.

§ 12. **Boundaries.** A local boundary commission or board shall be established by law in the executive branch of the state government. The commission or board may consider any proposed local government boundary change. It may present proposed changes to the legislature during the first ten days of any regular session. The change shall become effective forty-five days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house. The commission or board, subject to law, may establish procedures whereby boundaries may be adjusted by local action.

§ 13. **Agreements; Transfer of Powers.** Agreements, including those for cooperative

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or joint administration of any functions or powers, may be made by any local government with any other local government, with the State, or with the United States, unless otherwise provided by law or charter. A city may transfer to the borough in which it is located any of its powers or functions unless prohibited by law or charter, and may in like manner revoke the transfer.

§ 14. Local Government Agency. An agency shall be established by law in the executive branch of the state government to advise and assist local governments. It shall review their activities, collect and publish local government information, and perform other duties prescribed by law.

§ 15. Special Service Districts. Special service districts existing at the time a borough is organized shall be integrated with the government of the borough as provided by law.



ARTICLE XI
Initiative, Referendum, and Recall

Sec.

1. Initiative and Referendum.
2. Application.
3. Petition.
4. Initiative Election.
5. Referendum Election.
6. Enactment.
7. Restrictions.
8. Recall.

§ 1. Initiative and Referendum. The people may propose and enact laws by the initiative, and approve or reject acts of the legislature by the referendum.

§ 2. Application. An initiative or referendum is proposed by an application containing the bill to be initiated or the act to be referred. The application shall be signed by not less than one hundred qualified voters as sponsors, and shall be filed with the lieutenant governor. If he finds it in proper form he shall so certify. Denial of certification shall be subject to judicial review. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 3. Petition. After certification of the application, a petition containing a summary of the subject matter shall be prepared by the lieutenant governor for circulation by the sponsors. If signed by qualified voters, equal in number to ten per cent of those who voted in the preceding general election and resident in at least two-thirds of the house districts of the State, it may be filed with the lieutenant governor. [Amendment approved August 25, 1970 – Effective October 10, 1970; Amendment approved November 3, 1998 – Effective January 3, 1999]

§ 4. Initiative Election. An initiative petition may be filed at any time. The lieutenant governor shall prepare a ballot title and proposition summarizing the proposed law, and shall place them on the ballot for the first statewide election held more than one hundred- twenty days after adjournment of the legislative session following the filing. If, before the election, substantially the same measure has been enacted, the petition is void. [Amendment approved August 25,

1970 – Effective October 10, 1970]

§ 5. Referendum Election. A referendum petition may be filed only within ninety days after adjournment of the legislative session at which the act was passed. The lieutenant governor shall prepare a ballot title and proposition summarizing the act and shall place them on the ballot for the first statewide election held more than one hundred-eighty days after adjournment of that session. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 6. Enactment. If a majority of the votes cast on the proposition favor its adoption, the initiated measure is enacted. If a majority of the votes cast on the proposition favor the rejection of an act referred, it is rejected. The lieutenant governor shall certify the election returns. An initiated law becomes effective ninety days after certification, is not subject to veto, and may not be repealed by the legislature within two years of its effective date. It may be amended at any time. An act rejected by referendum is void thirty days after certification. Additional procedures for the initiative and referendum may be prescribed by law. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 7. Restrictions. The initiative shall not be used to dedicate revenues, make or repeal appropriations, create courts, define the jurisdiction of courts or prescribe their rules, or enact local or special legislation. The referendum shall not be applied to dedications of revenue, to appropriations, to local or special legislation, or to laws necessary for the immediate preservation of the public peace, health, or safety.

§ 8. Recall. All elected public officials in the State, except judicial officers, are subject to recall by the voters of the State or political subdivision from which elected. Procedures and grounds for recall shall be prescribed by the legislature.



ARTICLE XII General Provisions

Sec.

1. State Boundaries.
2. Intergovernmental Relations.
3. Office of Profit.
4. Disqualification for Disloyalty.
5. Oath of Office.
6. Merit System.
7. Retirement Systems.
8. Residual Power.
9. Provisions Self-Executing.
10. Interpretation.
11. Law-Making Power.
12. Disclaimer and Agreement.
13. Consent to Act of Admission.
14. Approval of Federal Amendment to Statehood Act Affecting an Interest of the State Under that Act.

§ 1. State Boundaries. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, included in the Territory of Alaska upon the date of ratification of this constitution by the people of Alaska.

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§ 2. **Intergovernmental Relations.** The State and its political subdivisions may cooperate with the United States and its territories, and with other states and their political subdivisions on matters of common interest. The respective legislative bodies may make appropriations for this purpose.

§ 3. **Office of Profit.** Service in the armed forces of the United States or of the State is not an office or position of profit as the term is used in this constitution.

§ 4. **Disqualification for Disloyalty.** No person who advocates, or who aids or belongs to any party or organization or association which advocates, the overthrow by force or violence of the government of the United States or of the State shall be qualified to hold any public office of trust or profit under this constitution.

§ 5. **Oath of Office.** All public officers, before entering upon the duties of their offices, shall take and subscribe to the following oath or affirmation: “I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Alaska, and that I will faithfully discharge my duties as . . . to the best of my ability.” The legislature may prescribe further oaths or affirmations.

§ 6. **Merit System.** The legislature shall establish a system under which the merit principle will govern the employment of persons by the State.

§ 7. **Retirement Systems.** Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits

of these systems shall not be diminished or impaired.

§ 8. **Residual Power.** The enumeration of specified powers in this constitution shall not be construed as limiting the powers of the State.

§ 9. **Provisions Self-Executing.** The provisions of this constitution shall be construed to be self-executing whenever possible.

§ 10. **Interpretation.** Titles and subtitles shall not be used in construing this constitution. Personal pronouns used in this constitution shall be construed as including either sex.

§ 11. **Law-Making Power.** As used in this constitution, the terms “by law” and “by the legislature,” or variations of these terms, are used interchangeably when related to law-making powers. Unless clearly inapplicable, the law-making powers assigned to the legislature may be exercised by the people through the initiative, subject to the limitations of Article XI.

§ 12. **Disclaimer and Agreement.** The State of Alaska and its people forever disclaim all right and title in or to any property belonging to the United States or subject to its disposition, and not granted or confirmed to the State or its political subdivisions, by or under the act admitting Alaska to the Union. The State and its people further disclaim all right or title in or to any property, including fishing rights, the right or title to which may be held by or for any Indian, Eskimo, or Aleut, or community thereof, as that right or title is defined in the act of admission. The State and its people agree that, unless

otherwise provided by Congress, the property, as described in this section, shall remain subject to the absolute disposition of the United States. They further agree that no taxes will be imposed upon any such property, until otherwise provided by the Congress. This tax exemption shall not apply to property held by individuals in fee without restrictions on alienation.

§ 13. Consent to Act of Admission. All provisions of the act admitting Alaska to the Union which reserve rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property, are consented to fully by the State and its people.

§ 14. Approval of Federal Amendment to Statehood Act Affecting an Interest of the State under that Act. A federal statute or proposed federal statute that affects an interest of this State under the Act admitting Alaska to the Union is ineffective as against the State interest unless approved by a two-thirds vote of each house of the legislature or approved by the people of the State. The legislature may, by a resolution passed by a majority vote of each house, place the question of approval of the federal statute on the ballot for the next general election unless in the resolution placing the question of approval, the legislature requires the question to be placed before the voters at a special election. The approval of the federal statute by the people of the State is not effective unless the federal statute described in the resolution is ratified by a majority of the qualified voters of the State who vote on the question. Unless a summary of the question is provided in the resolution passed by the legislature, the lieutenant governor shall

prepare an impartial summary of the question. The lieutenant governor shall present the question to the voters so that a “yes” vote on the question is a vote to approve the federal statute. [Amendment approved November 5, 1996 – Effective December 27, 1996]



ARTICLE XIII

Amendment and Revision

Sec.

1. Amendments.
2. Convention.
3. Call by Referendum.
4. Powers.

§ 1. Amendments. Amendments to this constitution may be proposed by a two-thirds vote of each house of the legislature. The lieutenant governor shall prepare a ballot title and proposition summarizing each proposed amendment, and shall place them on the ballot for the next general election. If a majority of the votes cast on the proposition favor the amendment, it shall be adopted. Unless otherwise provided in the amendment, it becomes effective thirty days after the certification of the election returns by the lieutenant governor. [Amendment approved August 25, 1970 – Effective October 10, 1970; Amendment approved August 27, 1974 – Effective October 12, 1974]

§ 2. Convention. The legislature may call constitutional conventions at any time.

ARTICLE XIV

§ 3. **Call by Referendum.** If during any ten-year period a constitutional convention has not been held, the lieutenant governor shall place on the ballot for the next general election the question: “Shall there be a Constitutional Convention?” If a majority of the votes cast on the question are in the negative, the question need not be placed on the ballot until the end of the next ten-year period. If a majority of the votes cast on the question are in the affirmative, delegates to the convention shall be chosen at the next regular statewide election, unless the legislature provides for the election of the delegates at a special election. The lieutenant governor shall issue the call for the convention. Unless other provisions have been made by law, the call shall conform as nearly as possible to the act calling the Alaska Constitutional Convention of 1955, including, but not limited to, number of members, districts, election and certification of delegates, and submission and ratification of revisions and ordinances. The appropriation provisions of the call shall be self-executing and shall constitute a first claim on the state treasury. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 4. **Powers.** Constitutional conventions shall have plenary power to amend or revise the constitution, subject only to ratification by the people. No call for a constitutional convention shall limit these powers of the convention.

**ARTICLE XIV.
Apportionment Schedule.**

Article XIV is repealed by 1998 Ballot Measure No. 3, eff. 1/3/99, (1998 Legislative Resolve 74; 20th Legislature’s SCS CSHJR 44 (JUD)). A replacement redistricting schedule will be adopted by the redistricting board established in Article VI, Section 8, according to the schedule established in Article VI, section 10.

Editor’s Note: Set out below is the existing apportionment schedule according to the “Proclamation of Final Reapportionment and Redistricting”, dated March 25, 1994. The election districts and senate districts are as follows.

**Election Districts
Each District has one representative.**

- 1 Ketchikan
- 2 Sitka - Wrangell - Petersburg
- 3 Juneau: Downtown
- 4 Juneau: Mendenhall Valley
- 5 Southeast Islands
- 6 Kodiak
- 7 Kenai Peninsula: Homer
- 8 Kenai Peninsula: Seward - Soldotna
- 9 Kenai Peninsula: Kenai - Nikiski
- 10 Anchorage: Huffman - Klatt
- 11 Anchorage: West Anchorage
- 12 Anchorage: Sand Lake
- 13 Anchorage: Coastal Trail
- 14 Anchorage: Elmendorf
- 15 Anchorage: Downtown - Spenard
- 16 Anchorage: Mountain View - Fairview
- 17 Anchorage: Bayshore - Dimond
- 18 Anchorage: Hillside
- 19 Anchorage: Lake Otis and Tudor
- 20 Anchorage: Midtown
- 21 Anchorage: East Anchorage #1
- 22 Anchorage: East Anchorage #2
- 23 Anchorage: Muldoon

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- 24 Anchorage: Muldoon - Eagle River
- 25 Anchorage: Eagle River
- 26 Matanuska-Susitna Borough: Wasilla - Peters Creek
- 27 Matanuska-Susitna Borough: Palmer
- 28 Matanuska-Susitna Borough: Wasilla - Talkeetna
- 29 Fairbanks: University - Ester
- 30 Fairbanks: West Fairbanks
- 31 Fairbanks: East Fairbanks
- 32 Fairbanks: Badger - Fort Wainwright
- 33 Fairbanks: Northeast Fairbanks
- 34 North Pole - Denali
- 35 Delta - Prince William Sound
- 36 Rural Interior
- 37 Northwest Alaska
- 38 Nome - Lower Yukon
- 39 Bethel - Dillingham
- 40 Aleutians

- K Anchorage: East Anchorage # 1 and #2 21 - 22
- L Anchorage: Muldoon - Eagle River 23 - 24
- M Anchorage: Eagle River; Matanuska-Susitna Borough: Wasilla - Peters Creek 25 - 26
- N Matanuska-Susitna Borough: Palmer - Wasilla Talkeetna 27 - 28
- O Fairbanks: University - Ester - West Fairbanks 29 - 30
- P Fairbanks: East Fairbanks - Badger - Fort Wainwright 31 - 32
- Q Fairbanks: Northeast Fairbanks - North Pole -Denali 33 - 34
- R Delta - Prince William Sound - Rural Interior 35 - 36
- S - Northwest Alaska - Nome - Lower Yukon 37 - 38
- T - Bethel - Dillingham - Aleutians 39 - 40

Senate Districts.

Each District has one senator.

- A Ketchikan - Sitka - Wrangell - Petersburg 1 - 2
- B Juneau: Downtown and Mendenhall Valley 3 - 4
- C Southeast Islands - Kodiak 5 - 6
- D Kenai Peninsula: Homer - Seward - Soldotna 7 - 8
- E Kenai Peninsula: Kenai - Nikiski; Anchorage: Huffman - Klatt 9 - 10
- F Anchorage: West Anchorage - Sand Lake 11 - 12
- G Anchorage: Coastal Trail - Elmendorf 13 - 14
- H Anchorage: Downtown - Spenard - Mountain View - Fairview 15 - 16
- I Anchorage: Bayshore - Dimond - Hillside 17 - 18
- J Anchorage: Lake Otis - Tudor - Midtown 19 - 20



ARTICLE XV

Schedule of Transitional Measures

Sec.

- 1. Continuance of Laws.
- 2. Saving of Existing Rights and Liabilities.
- 3. Local Government.
- 4. Continuance of Office.
- 5. Corresponding Qualifications.
- 6. Governor to Proclaim Election.
- 7. First State Elections.
- 8. United States Senators and Representative.

ARTICLE XV

9. Terms of First Governor and Lieutenant Governor.
10. Election of First Senators.
11. Terms of First State Legislators.
12. Election Returns.
13. Assumption of Office.
14. First Session of Legislature.
15. Office Holding by First Legislators.
16. First Judicial Council.
17. Transfer of Court Jurisdiction.
18. Territorial Assets and Liabilities.
19. First Reapportionment.
20. State Capital.
21. Seal.
22. Flag.
23. Special Voting Provision.
24. Ordinances.
25. Effective Date.
26. Appropriations for Relocation of the Capital.
27. Reconsideration of Amendment Limiting Increases in Appropriations.
28. Application of Amendment.
29. Applicability of Amendments Providing for Redistricting of the Legislature.

To provide an orderly transition from a territorial to a state form of government, it is declared and ordained:

§ 1. Continuance of Laws. All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended, or repealed.

§ 2. Saving of Existing Rights and Liabilities. Except as otherwise provided in this constitution, all rights, titles, actions, suits, contracts, and liabilities and all civil, crimi-

nal, or administrative proceedings shall continue unaffected by the change from territorial to state government, and the State shall be the legal successor to the Territory in these matters.

§ 3. Local Government. Cities, school districts, health districts, public utility districts, and other local subdivisions of government existing on the effective date of this constitution shall continue to exercise their powers and functions under existing law, pending enactment of legislation to carry out the provisions of this constitution. New local subdivisions of government shall be created only in accordance with this constitution.

§ 4. Continuance of Office. All officers of the Territory, or under its laws, on the effective date of this constitution shall continue to perform the duties of their offices in a manner consistent with this constitution until they are superseded by officers of the State.

§ 5. Corresponding Qualifications. Residence, citizenship, or other qualifications under the Territory may be used toward the fulfillment of corresponding qualifications required by this constitution.

§ 6. Governor to Proclaim Election. When the people of the Territory ratify this constitution and it is approved by the duly constituted authority of the United States, the governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue a proclamation and take necessary measures to hold primary and general elections for all state elective offices provided for by this constitution.

§ 7. First State Elections. The primary election shall take place not less than forty nor more than ninety days after the proclamation by the governor of the Territory. The general election shall take place not less than ninety days after the primary election. The elections shall be governed by this constitution and by applicable territorial laws.

§ 8. United States Senators and Representative. The officers to be elected at the first general election shall include two senators and one representative to serve in the Congress of the United States, unless senators and a representative have been previously elected and seated. One senator shall be elected for the long term and one senator for the short term, each term to expire on the third day of January in an odd-numbered year to be determined by authority of the United States. The term of the representative shall expire on the third day of January in the odd-numbered year immediately following his assuming office. If the first representative is elected in an even-numbered year to take office in that year, a representative shall be elected at the same time to fill the full term commencing on the third day of January of the following year, and the same person may be elected for both terms.

§ 9. Terms of First Governor and Lieutenant Governor. The First Governor and Lieutenant Governor shall hold office for a term beginning with the day on which they assume office and ending at noon on the first Monday in December of the even-numbered year following the next presidential election. This term shall count as a full term for purposes of determining eligibility for reelection only if it is four years or more in

duration. [Amendment approved August 25, 1970 – Effective October 10, 1970]

§ 10. Election of First Senators. At the first State general election, one senator shall be chosen for a two-year term from each of the following senate districts, described in Section 2 of Article XIV: A, B, D, E, G, I, J, L, N, and O. At the same election, one senator shall be chosen for a four-year term from each of the following senate districts described in Section 2 of Article XIV: A, C, E, F, H, J, K, M, N, and P.

§ 11. Terms of First State Legislators. The first State legislators shall hold office for a term beginning with the day on which they assume office and ending at noon on the fourth Monday in January after the next general election, except that senators elected for four-year terms shall serve an additional two years thereafter. If the first general election is held in an even-numbered year, it shall be deemed to be the general election for that year.

§ 12. Election Returns. The returns of the first general election shall be made, canvassed, and certified in the manner prescribed by law. The governor of the Territory shall certify the results to the President of the United States.

§ 13. Assumption of Office. When the President of the United States issues a proclamation announcing the results of the election, and the State has been admitted into the Union, the officers elected and qualified shall assume office.

ARTICLE XV

§ 14. First Session of Legislature. The governor shall call a special session of the first state legislature within thirty days after the presidential proclamation unless a regular session of the legislature falls within that period. The special session shall not be limited as to duration.

§ 15. Office Holding by First Legislators. The provisions of Section 5 of Article II shall not prohibit any member of the first State legislature from holding any office or position created during his first term.

§ 16. First Judicial Council. The first members of the judicial council shall, notwithstanding Section 8 of Article IV, be appointed for terms as follows: three attorney members for one, three, and five years respectively, and three non-attorney members for two, four, and six years respectively. The six members so appointed shall, in accordance with Section 5 of Article IV, submit to the governor nominations to fill the initial vacancies on the superior court and the supreme court, including the office of chief justice. After the initial vacancies on the superior and supreme courts are filled, the chief justice shall assume his seat on the judicial council.

§ 17. Transfer of Court Jurisdiction. Until the courts provided for in Article IV are organized, the courts, their jurisdiction, and the judicial system shall remain as constituted on the date of admission unless otherwise provided by law. When the State courts are organized, new actions shall be commenced and filed therein, and all causes, other than those under the jurisdiction of the United States, pending in the courts existing on the date of admission, shall be

transferred to the proper state court as though commenced, filed, or lodged in those courts in the first instance, except as otherwise provided by law.

§ 18. Territorial Assets and Liabilities. The debts and liabilities of the Territory of Alaska shall be assumed and paid by the State, and debts owed to the Territory shall be collected by the State. Assets and records of the Territory shall become the property of the State.

§ 19. First Reapportionment. The first reapportionment of the house of representatives shall be made immediately following the official reporting of the 1960 decennial census, or after the first regular legislative session if the session occurs thereafter, notwithstanding the provision as to time contained in Section 3 of Article VI. All other provisions of Article VI shall apply in the first reapportionment.

§ 20. State Capital. The capital of the State of Alaska shall be at Juneau.

§ 21. Seal. The seal of the Territory, substituting the word "State" for "Territory," shall be the seal of the State.

§ 22. Flag. The flag of the Territory shall be the flag of the State.

§ 23. Special Voting Provision. Citizens who legally voted in the general election of November 4, 1924, and who meet the residence requirements for voting, shall be entitled to vote notwithstanding the provisions of Section 1 of Article V.

§ 24. Ordinances. Ordinance No. 1 on ratification of the constitution, Ordinance No.

2 on the Alaska–Tennessee Plan, and Ordinance No. 3 on the abolition of fish traps, adopted by the Alaska Constitutional Convention and appended to this constitution, shall be submitted to the voters and if ratified shall become effective as provided in each ordinance.

§ 25. Effective Date. This constitution shall take effect immediately upon the admission of Alaska into the Union as a state.

§ 26. Appropriations for Relocation of the Capital. If a majority of those voting on the question at the general election in 1982 approve the ballot proposition for the total cost to the State of providing for relocation of the capital, no additional voter approval of appropriations for that purpose within the cost approved by the voters is required under the 1982 amendment limiting increases in appropriations (art. IX, sec. 16). [Amendment approved November 2, 1982. Ballot Measure No. 8, the question referred to in this section, was defeated by the voters; and, therefore, this section is not operative.]

§ 27. Reconsideration of Amendment Limiting Increases in Appropriations. If the 1982 amendment limiting appropriation increases (art. IX, sec. 16) is adopted, the lieutenant governor shall cause the ballot title and proposition for the amendment to be placed on the ballot again at the general election in 1986. If the majority of those voting on the proposition in 1986 rejects the amendment, it shall be repealed. [Amendment approved November 2, 1982 – Effective December 24, 1982]

§ 28. Application of Amendment. The 1982 amendment limiting appropriation increases (art. IX, sec. 16) applies to appropriations made for fiscal year 1984 and thereafter. [Amendment approved November 2, 1982 – Effective December 24, 1982]

§ 29. Applicability of Amendments Providing for Redistricting of the Legislature. The 1998 amendments relating to redistricting of the legislature (art. VI and art. XIV) apply only to plans for redistricting and proclamations of redistricting adopted on or after January 1, 2001. [Amendment approved November 3, 1998 – Effective January 3, 1999]

DELEGATES

Agreed upon by the delegates in Constitutional Convention assembled at the University of Alaska, this fifth day of February, in the year of our Lord one thousand nine hundred and fifty-six, and of the Independence of the United States the one hundred and eightieth.

Wm. A. Egan, President of the Convention

R. Rolland Armstrong	Maynard D. Londborg
Dorothy J. Awes	Steve McCutcheon
Frank Barr	George M. McLaughlin
John C. Boswell	Robert J. McNealy
Seaborn J. Buckalew, Jr.	John A. McNees
John B. Coghill	M. R. Marston
E. B. Collins	Irwin L. Metcalf
George D. Cooper	Leslie Nerland
John M. Cross	James Nolan
Edward V. Davis	Katherine D. Nordale
James P. Doogan	Frank Peratrovich
Truman C. Emberg	Chris Poulsen
Helen Fischer	Peter L. Reader
Victor Fischer	Burke Riley
Douglas Gray	Ralph J. Rivers
Thomas C. Harris	Victor C. Rivers
John S. Hellenthal	John H. Rosswog
Mildred R. Hermann	B. D. Stewart
Herb Hilscher	W. O. Smith
Jack Hinckel	George Sundborg
James Hurley	Dora M. Sweeney
Maurice T. Johnson	Warren A. Taylor
Yule F. Kilcher	H. R. Vanderleest
Leonard H. King	M. J. Walsh
William W. Knight	Barrie M. White
W. W. Laws	Ada B. Wien
Eldor R. Lee	

ATTEST:

Thomas B. Stewart, Secretary of the Convention

Appended to the constitution were three ordinances (Article XV, Section 24) which dealt with (1) ratification of the constitution; (2) adoption of the Alaska-Tennessee Plan; and (3) abolition of fish traps. The ratification ordinance simply placed the constitution on the ballot for ratification by the voters. The Alaska-Tennessee Plan provided for the immediate election of two senators and a representative who, although not official members of the Congress, could promote the cause of statehood in Washington, D.C. The ordinance prohibiting fish traps reflected widespread opposition in Alaska to fishing practices condoned by federal fishery managers, and it was designed to rally support for statehood and the constitution among the voters.

Ordinance 1 Ratification of Constitution

§ 1. - Election. The Constitution for the State of Alaska agreed upon by the delegates to the Alaska Constitutional Convention on February 5, 1956, shall be submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on April 24, 1956. The election shall be conducted according to existing laws regulating primary elections so far as applicable.

§ 2. - Ballot. Each elector who offers to vote upon this constitution shall be given a ballot by the election judges which will be separate from the ballot on which candidates in the primary election are listed. Each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The first proposition shall be as follows:

“Shall the Constitution for the State of Alaska prepared and agreed upon by the Alaska Constitutional Convention be adopted?”

Yes____ No____

§ 3. - Canvass. The returns of this election shall be made to the governor of the Territory of Alaska, and shall be canvassed in substantially the manner provided by law for territorial elections.

§ 4. - Acceptance and Approval. If a majority of the votes cast on the proposition favor the constitution, then the constitution, shall be deemed to be ratified by the people of Alaska to become effective as provided in the constitution.

§ 5. - Submission of Constitution. Upon ratification of the constitution, the governor of the Territory shall forthwith transmit a certified copy of the constitution to the President of the United States for submission to the Congress, together with a statement of the votes cast for and against ratification.

Ordinance 2 Alaska-Tennessee Plan

§ 1. - Statement of Purpose. The election of senators and a representative to serve in the Congress of the United States being necessary and proper to prepare for the admission of Alaska as a state of the Union, the following sections are hereby ordained, pursuant to Chapter 46, SLA 1955.

§ 2. - Ballot. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a second proposition, which shall be as follows:

“Shall Ordinance Number Two (Alaska-Tennessee Plan) of the Alaska Constitutional Convention, calling for the immedi-

ORDINANCES

ate election of two United States Senators and one United States Representative, be adopted?”

Yes ____ No ____

§ 3. - Approval. Upon ratification of the constitution by the people of Alaska and separate approval of this ordinance by a majority of all votes cast for and against it, the remainder of this ordinance shall become effective.

§ 4. - Election of Senators and Representative.

Two United States senators and one United States representative shall be chosen at the 1956 general election.

§ 5. - Terms. One senator shall be chosen for the regular term expiring on January 3, 1963, and the other for an initial short term expiring on January 3, 1961, unless when they are seated the Senate prescribes other expiration dates. The representative shall be chosen for the regular term of two years expiring January 3, 1959.

§ 6. - Qualifications. Candidates for senators and representative shall have the qualifications prescribed in the Constitution of the United States and shall be qualified voters of Alaska.

§ 7. - Other Office Holding. Until the admission of Alaska as a state, the senators and representative may also hold or be nominated and elected to other offices of the United States or of the Territory of Alaska, provided that no person may receive compensation for more than one office.

§ 8. - Election Procedure. Except as provided herein, the laws of the Territory governing elections to the office of Delegate to Congress shall, to the extent applicable, govern the election of the senators and representative. Territorial and other officials shall perform their duties with reference to this election accordingly.

§ 9. - Independent Candidates. Persons not representing any political party may become independent candidates for the offices of senator or representative by filing applications in the manner provided in Section 38-5-10, ACLA 1949, insofar as applicable. Applications must be filed in the office of the director of finance of the Territory on or before June 30, 1956.

§ 10. - Party Nominations. Party nominations for senators and representative shall, for this election only, be made by party conventions in the manner prescribed in Section 38-4-11, ACLA 1949, for filling a vacancy in a party nomination occurring after a primary election. The names of the candidates nominated shall be certified by the chairman and secretary of the central committee of each political party to the director of finance of the Territory on or before June 30, 1956.

§ 11. - Certification. The director of finance shall certify the names of all candidates for senators and representatives to the clerks of court by July 15, 1956. The clerks of court shall cause the names to be printed on the official ballot for the general election. Independent candidates shall be identified as provided in Section 38-5-10, ACLA 1949. Candidates nominated at party conventions shall be identified with appropriate party

designations as is provided by law for nominations at primary elections.

§ 12. - Ballot Form; Who Elected. The ballot form shall group separately the candidates seeking the regular senate term, those seeking the short senate term, and candidates for representative. The candidate for each office receiving the largest number of votes cast for that office shall be elected.

§ 13. - Duties and Emoluments. The duties and emoluments of the offices of senator and representative shall be as prescribed by law.

§ 14. - Convention Assistance. The president of the Alaska Constitutional Convention, or a person designated by him, may assist in carrying out the purposes of this ordinance. The unexpended and unobligated funds appropriated to the Alaska Constitutional Convention by Chapter 46, SLA 1955, may be used to defray expenses attributable to the referendum and the election required by this ordinance.

§ 15. - Alternate Effective Dates. If the Congress of the United States seats the senators and representative elected pursuant to this ordinance and approves the constitution before the first election of state officers, then Section 25 of Article XV shall be void and shall be replaced by the following:

“The provisions of the constitution applicable to the first election of state officers shall take effect immediately upon the admission of Alaska into the Union as a State. The re-

mainder of the constitution shall take effect when the elected governor takes office.”

Ordinance 3 Abolition of Fish Traps

§ 1. - Ballot. Each elector who offers to vote upon the ratification of the constitution may, upon the same ballot, vote on a third proposition, which shall be as follows:

“Shall Ordinance Number Three of the Alaska Constitutional Convention, prohibiting the use of fish traps for the taking of salmon for commercial purposes in the coastal waters of the State, be adopted?”

Yes ____ No ____

§ 2. - Effect of Referendum. If the constitution shall be adopted by the electors and if a majority of all the votes cast for and against this ordinance favor its adoption, then the following shall become operative upon the effective date of the constitution:

“As a matter of immediate public necessity, to relieve economic distress among individual fishermen and those dependent upon them for a livelihood, to conserve the rapidly dwindling supply of salmon in Alaska, to insure fair competition among those engaged in commercial fishing, and to make manifest the will of the people of Alaska, the use of fish traps for the taking of salmon for commercial purposes is hereby prohibited in all the coastal waters of the State.”

AMENDMENTS

Alaska Constitution Amendment Summary

Year of Legislative Action	Title	Legislative Reference	Election Date	Cert. Date	Effective Date	Provisions Affected
1966	Proposing that the Constitution of the State of Alaska be amended to permit the residency requirements for voting for the President and Vice President of the United States to be prescribed by law.	SJR 1	Aug. 23, 1966	Sept. 9, 1966	Oct. 9, 1966	Article V, Sec. 1
1968	Proposing amendments to the Constitution of the State of Alaska providing for the disqualification, suspension, removal from office, retirement and censure of justices and judges, and providing for a Commission on Judicial Qualification.	2d FCCS SCS CSHJR 74	Aug. 27, 1968 (Ballot 1)	Sept. 11, 1968	Oct. 11, 1968	Article IV, Sec. 10
1968	Proposing amendments to the Constitution of the State of Alaska providing for the disqualification, suspension, removal from office, retirement and censure of justices and judges, and providing for a Commission on Judicial Qualification.	2d FCCS SCS CSHJR 74	Aug. 27, 1968 (Ballot 2)	Sept. 11, 1968	Oct. 11, 1968	Article IV, Sec. 13
1969	Proposing an amendment to the Constitution of the State of Alaska establishing the voting age at 18 years.	HJR 7	Aug. 25, 1970	Sept. 10, 1970	Oct. 10, 1970	Article V, Sec. 1
1970	Proposing that the Constitution of the State of Alaska be amended by changing the name of the secretary of state to lieutenant governor.	SJR 2	Aug. 25, 1970	Sept. 10, 1970	Oct. 10, 1970	Article III, Sec. 7-11, 13-15, 25; Article XI, Sec. 2-6 Article XIII, Sec. 1,3 Article XV Sec 9
1970	Proposing amendments to the judiciary article of the Alaska Constitution relating to the office of the chief justice of the supreme court.	FCCS SCS CSHJR 11	Aug. 25, 1970 (Ballot 4)	Sept. 10, 1970	Oct. 10, 1970	Article IV, Sec. 2

AMENDMENTS

Year of Legislative Action	Title	Legislative Reference	Election Date	Cert. Date	Effective Date	Provisions Affected
1970	Proposing amendments to the judiciary article of the Alaska Constitution relating to the office of the chief justice of the supreme court.	FCCS SCS CSHJR 11	Aug. 25, 1970 (Ballot 5)	Sept. 10, 1970	Oct. 10, 1970	Article IV, Sec. 16
1970	Proposing an amendment to the Constitution of the State of Alaska eliminating the requirement of ability to read or speak English as prerequisite to voting.	HJR 51 am S	Aug. 25, 1970	Sept. 10, 1970	Oct. 10, 1970	Article V, Sec. 1
1971	Amending the exclusive right of fisheries provision of the Constitution of the State of Alaska.	HCS CSSJR 10	Aug. 22, 1972	Sept. 14, 1972	Oct. 14, 1972	Article VIII, Sec. 15
1972	Proposing an amendment to the civil rights section of the Constitution of the State of Alaska.	HJR 102	Aug. 22, 1972	Sept. 14, 1972	Oct. 14, 1972	Article 1, Sec. 3
1972	Proposing an amendment to the Constitution of the State of Alaska insuring the individual's right of privacy.	HCS SJR 68	Aug. 22, 1972	Sept. 14, 1972	Oct. 14, 1972	Article 1, Sec. 22
1972	Proposing an amendment to the Constitution of the State of Alaska regarding residency requirements for voting in state and local elections.	HJR 126 am S	Aug. 22, 1972	Sept. 14, 1972	Oct. 14, 1972	Article V, Sec. 1
1972	Amending the local government article of the Constitution of the State of Alaska relating to representation of cities on borough assemblies.	SJR 52	Aug. 22, 1972	Sept. 14, 1972	Oct. 14, 1972	Article X, Sec. 4
1973	Proposing an amendment to the amendment and revision section of the Constitution of the State of Alaska.	HJR 20	Aug. 27, 1974	Sept. 12, 1974	Oct. 12, 1974	Article XIII, Sec. 1
1975	Amending the Constitution of the State of Alaska to provide for consideration of vetoed bills.	SCS CSHJR 11	Nov. 2, 1976	Nov. 23, 1976	Dec. 23, 1976	Article II, Sec. 9, 16
1976	Proposing an amendment to the Alaska Constitution, establishing an Alaska Permanent Fund for certain proceeds derived from non renewable resources.	SCS CSSS HJR 39 (resources) am S	Nov. 2, 1976	Nov. 23, 1976	Feb. 21, 1977	Article IX Sec. 7, 15

AMENDMENTS

Year of Legislative Action	Title	Legislative Reference	Election Date	Cert. Date	Effective Date	Provisions Affected
1981	Proposing an amendment to the Constitution of the State of Alaska relating to the Commission on Judicial Qualifications.	CSHJR 32 (Judiciary) am S	Nov. 2, 1982	Nov. 24, 1982	Dec. 24, 1982	Article IV, Sec. 10
1981	Proposing amendments to the Constitution of the State of Alaska relating to limiting increases in appropriations.	FSSFCCS SJR 4	Nov. 2, 1982	Nov. 24, 1982	Dec. 24, 1982	Article IX Sec. 16 Article XV, Sec. 26, 27, 28
1982	Proposing an amendment to the Constitution of the State of Alaska relating to incurring general obligation indebtedness for veterans housing.	CSHJR 71 (State Affairs)	Nov. 2, 1982	Nov. 24, 1982	Dec. 24, 1982	Article IX Sec. 8
1983	Proposing an amendment to the Constitution of the State of Alaska limiting the length of regular session of the legislature.	SCS CSHJR 2 (Rules)	Nov. 6, 1984	Nov. 30, 1984	Dec. 30, 1984	Article II, Sec. 8
1988	Proposing an amendment to the Constitution of the State of Alaska to allow the state to give preference to residents of the state over people who are not residents of the state, to the same extent allowed by the U.S. Constitution.	CSHJR 18	Nov. 8, 1988	Dec. 5, 1988	Jan. 4, 1989	Article I Sec. 23
1990	Proposing an amendment to the Constitution of the State of Alaska relating to the budget reserve fund; depositing into the budget reserve fund, except for money deposited into the permanent fund, all money received by the state after July 1, 1990, as a result of the termination, through settlement or otherwise, of an administrative proceeding or of litigation in state or federal court involving mineral lease bonuses, rentals, royalties, royalty sale proceeds, federal mineral revenue sharing payments or bonuses, or involving taxes imposed on mineral income, production, or property; allowing an appropriation from the fund only if the amount available for appropriation for a fiscal year is less than the amount appropriated for the previous fiscal year or upon the affirmative vote of three fourths of the members of each house of the legislature.	HCS CSSS SJR 5 (Finance) am H	Nov. 6, 1990	Dec. 3, 1990	Jan. 2, 1991	Article IX Sec. 17

AMENDMENTS

Year of Legislative Action	Title	Legislative Reference	Election Date	Cert. Date	Effective Date	Provisions Affected
1994	Proposing amendments to the Constitution of the State of Alaska relating to the rights of victims of crimes and to criminal administration.	CCS HJR 43	Nov. 8, 1994	Nov. 30, 1994	Dec. 30, 1994	Article I, Sec. 12, 24
1994	Proposing an amendment to the Constitution of the State of Alaska to guarantee, in addition to the right of the people to keep and bear arms as approved by the voters at the time of ratification of the state Constitution, that the individual right to keep and bear arms shall not be denied or infringed by the state or a political subdivision of the state.	SJR 39	Nov. 8, 1994	Nov. 30, 1994	Dec. 30, 1994	Article I, Sec. 19
1996	Proposing an amendment to Alaska's Constitution which defines how the state would agree to a change to the Ak Statehood Act. This amendment provides that any changes to the Statehood Act proposed by Congress must be approved in one of two ways: 1) By a majority vote of Alaskan voters in an election, or 2) by a two-thirds vote of the state legislature.	CSSJR 31 FIN am H reengrosse d	Nov. 5, 1996	Nov. 27, 1996	Dec. 27, 1996	Article XII, Sec 14
1998	Proposing an amendment to the Constitution of the State of Alaska relating to marriage	HCS CSSJR 42 (RLS)	Nov. 3, 1998	Dec. 4, 1998	Jan. 3, 1999	Article I. Sec. 25 (see editor's note below)
1998	Proposing an amendment to the Constitution of the State of Alaska relating to redistricting and reapportionment of the legislature; repealing obsolete language setting out the apportionment schedule used to elect members of the first legislature.	SCS CSHJR 44 (JUD)	Nov. 3, 1998	Dec. 4, 1998	Jan. 3, 1999	Article VI Sec. 1-11 Article XI Sec. 3 Article XIV Sec. 1-3 Article XV Sec. 29

EDITOR'S NOTE: Article I, Section 25 consists of the first sentence of 1998 Legislative Resolve 71 (20th Legislature's HCS CSSJR 42 (RLS)). The second sentence of 1998 Legislative Resolve 71 did not appear on the ballot pursuant to an order of the Supreme Court of the State of Alaska in Bess V. Ulmer, 985 P.2d 979 (Alaska 1999) (Preliminary opinion and order dated September 22, 1998.)

NOTE: An amendment to the constitution becomes effective 30 days after the date of certification of the election unless otherwise provided in the amendment. (Article XIII, Sec.1)

The Constitution of the United States

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE. I.

Section. 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2.

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North

ARTICLE I

Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4.

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5.

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6.

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7.

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

ARTICLE I

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right

to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9.

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations

made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10.

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II

ARTICLE. II.

Section. 1.

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then

from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Dis-

ability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2.

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the

supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3.

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4.

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III & IV

ARTICLE III.

Section. 1.

The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2.

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3.

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

Section. 1.

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2.

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be deliv-

ered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3.

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Con-

vention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII

ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous

Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

G°. Washington
Presidt and
deputy from Virginia

Delaware
Geo: Read
Gunning Bedford jun
John Dickinson
Richard Bassett
Jaco: Broom

Maryland
James McHenry
Dan of St Thos. Jenifer
Danl. Carroll

Virginia
John Blair
James Madison Jr.

North Carolina
Wm. Blount
Richd. Dobbs Spaight
Hu Williamson

South Carolina
J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

Georgia
William Few
Abr Baldwin

New Hampshire
John Langdon
Nicholas Gilman

Massachusetts
Nathaniel Gorham
Rufus King

Connecticut
Wm. Saml. Johnson
Roger Sherman

New York
Alexander Hamilton

New Jersey
Wil: Livingston
David Brearley
Wm. Paterson
Jona: Dayton

Pennsylvania
B Franklin
Thomas Mifflin
Robt. Morris
Geo. Clymer
Thos. FitzSimons
Jared Ingersoll
James Wilson
Gouv Morris

Amendment Summary

The first 10 amendments to the Constitution, also known as the Bill of Rights, were ratified December 15, 1791.

AMENDMENT I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

AMENDMENT III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on

a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

AMENDMENT VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

AMENDMENTS

AMENDMENT VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

AMENDMENT X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XI

Passed by Congress March 4, 1794. Ratified February 7, 1795.

Note: Article III, section 2, of the Constitution was modified by amendment 11.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT XII

Passed by Congress December 9, 1803. Ratified June 15, 1804.

Note: A portion of Article II, section 1 of the Constitution was superseded by the 12th amendment.

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots

the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President. —]*The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-Presi-

dent; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

*Superseded by section 3 of the 20th amendment.

AMENDMENT XIII

Passed by Congress January 31, 1865. Ratified December 6, 1865.

Note: A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Note: Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State de-

prive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,* and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

AMENDMENTS

Section 4.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5.

The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

*Changed by section 1 of the 26th amendment.

AMENDMENT XV

Passed by Congress February 26, 1869. Ratified February 3, 1870.

Section 1.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

Section 2.

The Congress shall have the power to enforce this article by appropriate legislation.

AMENDMENT XVI

Passed by Congress July 2, 1909. Ratified February 3, 1913.

Note: Article I, section 9, of the Constitution was modified by amendment 16.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII

Passed by Congress May 13, 1912. Ratified April 8, 1913.

Note: Article I, section 3, of the Constitution was modified by the 17th amendment.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII

Passed by Congress December 18, 1917. Ratified January 16, 1919. Repealed by amendment 21.

Section 1.

After one year from the ratification of this

article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2.

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XIX

Passed by Congress June 4, 1919. Ratified August 18, 1920.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX

Passed by Congress March 2, 1932. Ratified January 23, 1933.

Note: Article I, section 4, of the Constitution was modified by section 2 of this amendment. In addition, a portion of the 12th amendment was superseded by section 3.

Section 1.

The terms of the President and the Vice President shall end at noon on the 20th day

of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2.

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3.

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4.

The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

AMENDMENTS

Section 5.

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT XXI

Passed by Congress February 20, 1933. Ratified December 5, 1933.

Section 1.

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2.

The transportation or importation into any State, Territory, or Possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XXII

Passed by Congress March 21, 1947. Ratified February 27, 1951.

Section 1.

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years

of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

AMENDMENT XXIII

Passed by Congress June 16, 1960. Ratified March 29, 1961.

Section 1.

The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such du-

ties as provided by the twelfth article of amendment.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV

Passed by Congress August 27, 1962. Ratified January 23, 1964.

Section 1.

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXV

Passed by Congress July 6, 1965. Ratified February 10, 1967.

Note: Article II, section 1, of the Constitution was affected by the 25th amendment.

Section 1.

In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2.

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3.

Whenever the President transmits to the

President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4.

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the Presi-

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dent is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT XXVI

Passed by Congress March 23, 1971. Ratified July 1, 1971.

Note: Amendment 14, section 2, of the Constitution was modified by section 1 of the 26th amendment.

Section 1.

The right of citizens of the United States, who are eighteen years of age or older, to

vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXVII

Originally proposed Sept. 25, 1789. Ratified May 7, 1992.

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of representatives shall have intervened.